

Notice of Allowability

Application No.

09/516,209

Examiner

Alain L. Bashore

Applicant(s)

ALLEN-ROUMAN ET AL.

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-23-07.
2. ☒ The allowed claim(s) is/are 38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 12, filed 10-23-07, with respect to 35 USC 103 rejection of claim 38 has been fully considered and is persuasive. The 35 USC 103 rejection is hereby withdrawn.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Drapkin on 12-11-07.

The application has been amended as follows:

Cancel claims 14-18, 24-27, 29-33, 35-37, 39-46.

Allowable Subject Matter

3. Claim 38 is allowed. The drawings filed 2-29-00 are acceptable.

Reasons for allowance

4. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claim 38. Claim 38 recites a computer-readable medium having computer-executable instructions for performing the computer-implemental method for authorizing the electronic purchase during checkout with the user and the vendor system.

Doggett et al is considered the closest prior art. Doggett et al teaches a method and computer readable medium for facilitating an electronic purchase as the transferring funds from a payor to a payee. Purchase information from a payee and purchaser information from a payor are both received as payment information from a funds transfer system. When the payment information is validated, the payee is notified and funds are transferred. The purchase information includes a purchase price, and the purchaser information includes an identification of a purchaser account.

Doggett et al does not disclose the claimed combination including:

receiving, at the funds transfer system selection of a private payment option from the user, the private payment option comprising indication of a choice for private transfer of financial information from the user to the funds transfer system;

establishing a secure connection from the funds transfer system to the user, wherein the secure connection is configured to prevent access by the vendor system during transfer of the financial information over the secure connection;

requesting payment user account information from the user;

receiving user account information from the user with funds transfer system via the secure connection;

transmitting, via the secure connection, a validation request to the purchaser;

receiving, via the secure connection, validation information from the purchaser in response to the validation request;

validating the received validation information with the funds transfer system;

crediting a vendor account in a first amount that corresponds to the purchase price if the step of validating the received validation information is successful; and

debiting the user account a second amount that corresponds to the purchase price if the step of validating the received validation information is successful.

For these reasons claim 38 is deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/
Primary Examiner
Art Unit 1792